

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
STREET ABANDONMENT CASE 12-01
January 24, 2012**

Request	
Applicant: Paul Morse	Proposal: Abandonment of a portion of Ardmore Circle abutting the south boundary of property addressed as 209 Edgedale Drive.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Ardmore Circle	Local	60 ft. right-of-way – 16 ft. edge of pavement
Edgedale Drive	Local	60 ft. right-of-way – 26.7 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Single Family Residential – 9 (RS-9)	Single Family Residence
East	Single Family Residential – 9 (RS-9)	Single Family Residence
South	Single Family Residential – 9 (RS-9)	Single Family Residence
West	Single Family Residential – 9 (RS-9)	Single Family Residence

Analysis

The right-of-way being considered for abandonment is 0.02 acres (901 square feet) in area, being approximately 15 feet in width by 60 feet in length. The request for the abandonment centers around the desire of the applicant to keep a portion of an accessory structure built without a building permit. The accessory structure was constructed in the fall of 2008 and encroaches into the Ardmore Circle right-of-way by approximately 14.5 feet. The City does not consider right-of-way encroachments for structures of this nature, therefore, a street abandonment is the only relief the applicant can pursue to keep the accessory structure. If the abandonment is approved the applicant will still need to scale back the accessory structure to adhere to the 10 foot building setback requirement from the right-of-way.

Ardmore Circle is a 60 foot wide right-of-way with a 12-16 foot wide cartway (road). The pavement edge of the cartway is approximately 25 feet from the right-of-way. If the abandonment is approved the cartway will be approximately 10 feet from the newly established northern right-of-way (also being approximately 20 feet from the centerline of the cartway). Ardmore Circle provides additional access to properties which have road frontage on Brantley Circle or Edgedale Drive. The area of right-of-way proposed for abandonment currently contains public improvements of overhead utilities (power, phone, cable) and private improvements of a residential driveway and an accessory structure serving 209 Edgedale Drive. A utility easement would be retained for the existing overhead utility lines.

Findings

The Technical Review Committee (TRC) reviewed this request on March 9, 2011 and identified concerns related to abandonment of just a small portion of the right-of-way. The applicant did discuss expanding the abandonment with abutting property owners and received verbal support. Due to cost concerns related to expanding the request the applicant has chosen to pursue abandonment for only his road frontage.

The Technical Review Committee will add the remainder of Ardmore Circle to the comprehensive street abandonment process to consider reducing the width of the right-of-way beyond this property.

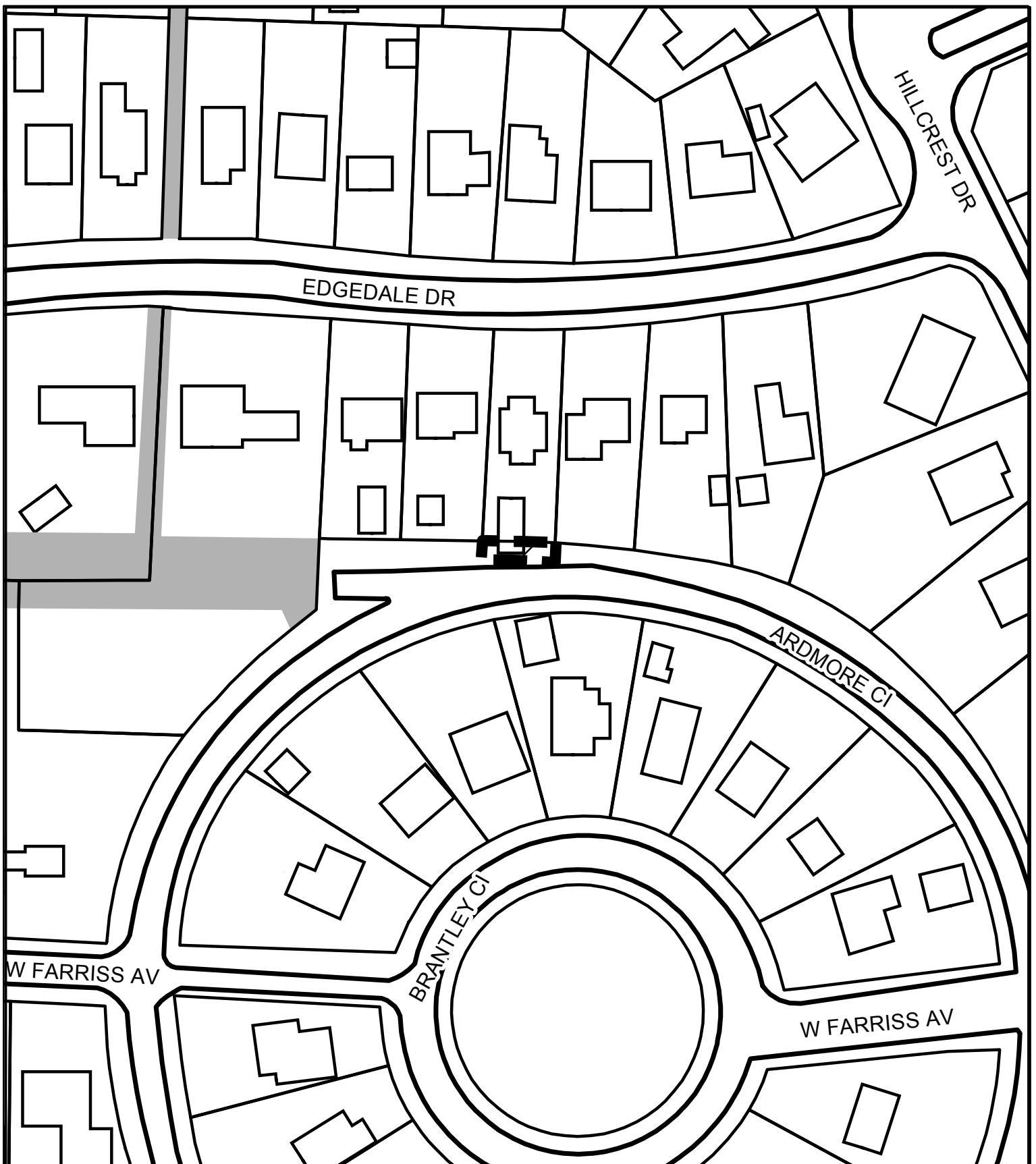
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means of ingress and egress to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment based on preliminary findings that the abandonment is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

This report was prepared by Planning and Development Department staff member Mark Schroeder, AICP, Senior Planner and reviewed by Bob Robbins, AICP, Development Administrator, and Lee Burnette, AICP, Director.



STREET ABANDONMENT REQUEST SA12-01

Applicant: Paul Morse

Area: 854.98 sq. ft.



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

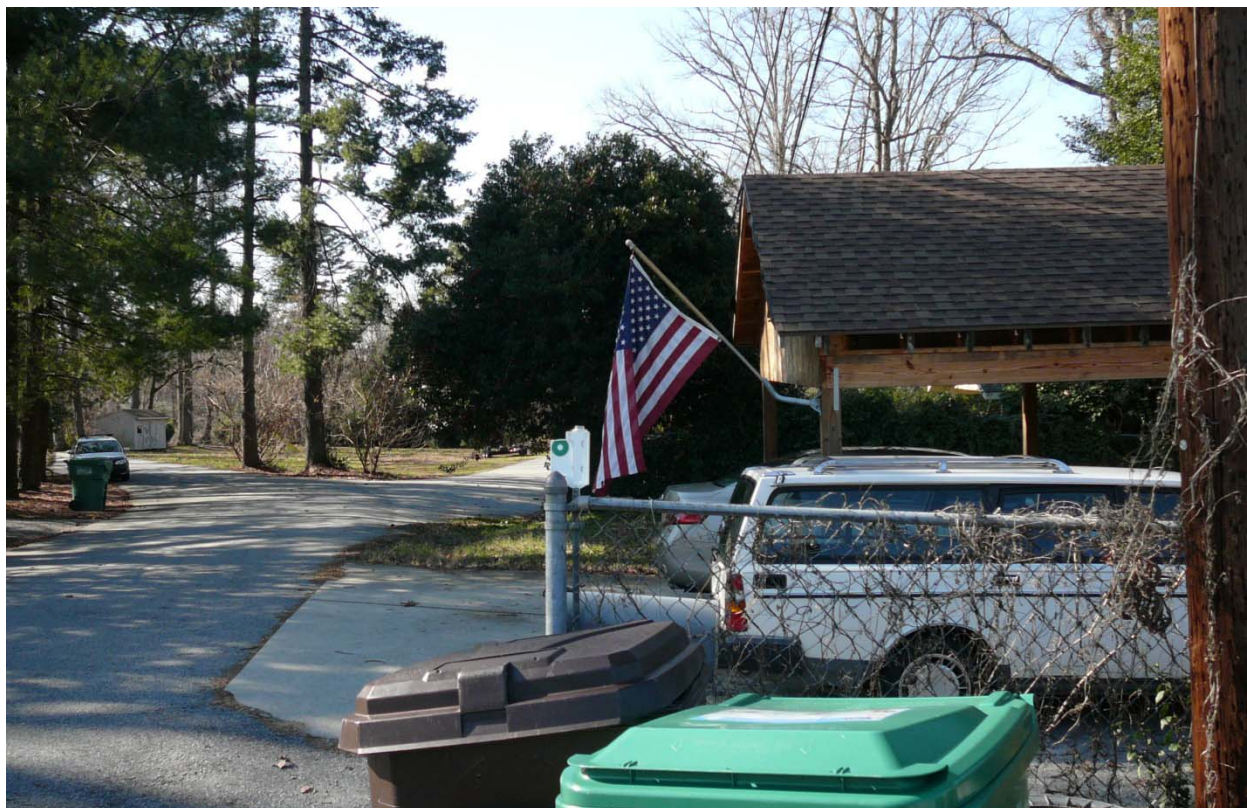
City of High Point

Date: December 14, 2011

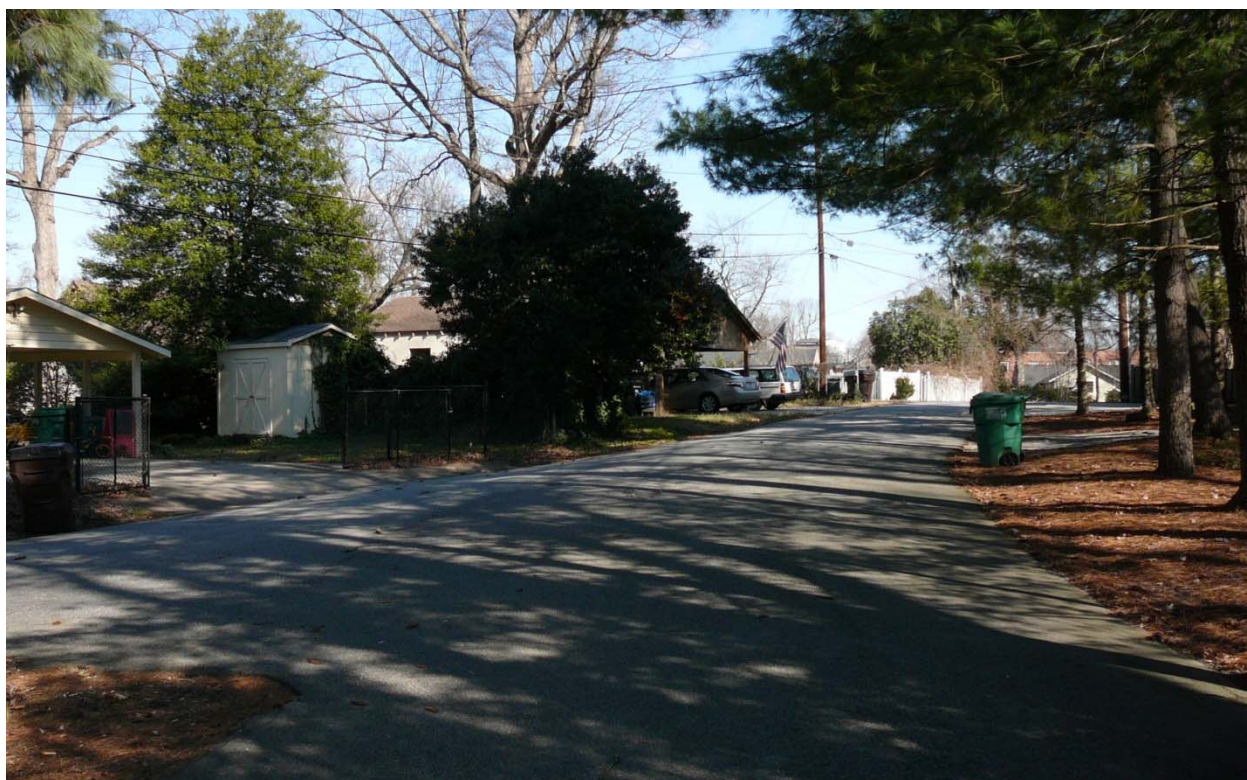


Scale: 1"=100'

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Looking west along the northern limits of Ardmore Circle.



Looking east along the northern side of Ardmore Circle.



Aerial with the abandonment area highlighted.